

REMARKS

The Office Action dated June 7, 2005, has been received and carefully noted. The following remarks are submitted as a full and complete response thereto.

Claims 1-35 are pending in the present application. Of those, claims 1, 10, 18, and 26 are the independent claims. The Office Action rejected all of the claims on the basis of alleged prior art. Applicant respectfully submits that claims 1-35 contain subject matter that is neither disclosed nor suggested in the prior art, and therefore Applicant respectfully submits claims 1-35 for consideration.

Rejections under 35 U.S.C. 102(e)

Claims 1-5, 8, 10-13, 16, 18-21, 23, 26-27, 29, and 32-35 were rejected under 35 U.S.C. § 102(e) in view of U.S. Patent Application Publication No. 2002/0068570 of Abrol et al. ("Abrol"). Applicant respectfully traverses this rejection.

Independent claim 1, upon which claims 2-4, 8, and 32 depend, is directed to a method of handing over a mobile node from a first access router to a second access router. The method may include sending a request message from the second access router to the mobile node. The method may also include, in response to the received request message, sending a connectivity report from the mobile node to the second access router.

Independent claim 10, upon which claims 11-13, 16, and 33 depend, is directed to a method that may include moving a mobile node from a first geographical location associated with a first access router to a second geographical location associated with a

second access router. The method may also include sending a request message from the second access router to the mobile node. The method may further include sending a connectivity report from the mobile node to the second access router.

Independent claim 18, upon which claims 19-21, 23, and 34 depend, is directed to a mobile IP network. The network may include a first access router, a second access router, and a mobile node. Upon the mobile node moving to a geographic location associated with the second access router, the second access router may send a request message to the mobile node requesting a connectivity report.

Independent claim 26, upon which claims 27, 29, and 35 depend, is directed to an access router having a processor that executes computer-readable instructions for performing a method of handing over a mobile node from another access router. The method may include performing handover of the mobile node from the another access router. The method may also include sending a request message from the access router to the mobile node. The method may further include receiving a connectivity report from the mobile node.

It is respectfully submitted that the cited art of Abrol fails to disclose or suggest all the elements of any of the presently pending claims.

Abrol relates to a handoff technique for wireless communications. In Abrol, the mobile radio detects and decodes signals in the form of “overhead messages” from the router to which it is connected, as well as to those from other routers. Abrol, ¶¶ 34-35. The “overhead messages” each contain a “packet zone ID,” which differs from one router

to another. Abrol, ¶ 34. When the mobile radio detects a new packet zone ID, it transmits a signal that includes “PREV_PZID” (the packet zone ID of the router to which it was connected). Abrol, ¶ 35.

As noted above, the method of claim 1 includes, “sending a **request message** from the second access router to the mobile node.” (Emphasis added.) The method of claim 1 also includes, “in response to the received request message, sending a **connectivity report** from the mobile node to the second access router.” (Emphasis added.) Independent claim 10 also recites, “sending a **request message** from the second access router to the mobile node,” and “sending a **connectivity report** from the mobile node to the second access router.” (Emphasis added.) Independent claim 18 recites in part that “the second access router sends a **request message** to the mobile node requesting a **connectivity report**.” (Emphasis added.) Independent claim 26 recites, “sending a **request message** from the access router to the mobile node” and “receiving a **connectivity report** from the mobile node.” (Emphasis added.) Thus, each of the independent claims recites both a request message and a connectivity report, and expresses a relationship between them.

The Office Action appears to interpret Abrol’s “overhead messages” as the claimed “request message.” Additionally, the Office Action appears to interpret Abrol’s PREV_PZID as the claimed “connectivity report.” This is an incorrect characterization of Abrol.

Abrol never uses the term “connectivity report,” nor even the individual words “connectivity” or “report.” Even assuming for the moment that Abrol’s PREV_PZID were a connectivity report (not admitted), Abrol does not teach the claimed request message. Abrol’s overhead messages contain information but there is no teaching or suggestion that they include a request. The Office Action’s statement on page 6 that the “overhead message is an invitation or a request for service” is not supported by Abrol. The Office Action does not cite any portion of Abrol that teaches such an idea and no such teaching exists. Such a citation is likely absent because Abrol is silent as to providing support for that statement. Indeed, the word “invitation” does not appear in Abrol. Similarly, the requests that are discussed in Abrol are requests initiated by the mobile station, not by the router. Accordingly, Abrol’s “overhead messages” do not reasonably compare to the claimed “request message.” Thus, Abrol does not teach all the elements of independent claims 1, 10, 18, and 26, and those claims that depend from them, and accordingly does not anticipate any of the claims of the present application.

Rejections under 35 U.S.C. 103(a)

The Office Action rejected claims 6-7, 14-15, 24-25, and 30-31 under 35 U.S.C. § 103(a). The Office Action asserts that they are unpatentable over Abrol in view of U.S. Patent Application Publication No. 2003/0210674 of Honkasalo et al. (“Honkasalo”). The Office Action takes the position that Abrol teaches all of the elements of the claims, except for “the second access router selecting one mobile node from a plurality of mobile nodes in order to send the request message and the one mobile node is selected randomly

from the plurality of mobile nodes.” The Office Action states that Honkasalo teaches these additional elements. Applicant respectfully traverses this rejection.

It is respectfully submitted that the cited art of Abrol in view of Honkasalo fails to disclose or suggest all the elements of any of the presently pending claims.

Honkasalo is directed to a method for scheduling packet data transmission. Honkasalo claims a method of operating a base station for packet data services in a wireless telecommunications system. The method includes assigning a MAC_ID to each mobile station, and using the MAC_ID in allocating a packet data channel. The Office Action cites Honkasalo as teaching “a base station for selecting one mobile station from a plurality of mobile station[s] in order to allocate a packet data channel and the one mobile node is selected randomly.” Office Action, p. 4.

The rejected claims, 6-7, 14-15, 24-25, and 30-31, depend from independent claims 1, 10, 18, and 26. As explained above, Abrol does not teach all of the elements of those claims. Dependent claims include all the limitations of the independent claims from which they depend. Accordingly, Abrol does not teach all of the elements of the rejected claims. Honkasalo also does not teach all of the elements of the rejected claims, nor does Honkasalo cure the deficiencies in Abrol.

Neither Honkasalo nor Abrol have been shown to address the claimed “request message” or the claimed “connectivity report.” The Office Action does not even assert that Honkasalo teaches those recitations. As explained above, the Office Action cites Honkasalo for other reasons. Honkasalo relates to a method for scheduling packet data

transmission by allowing a base station to preemptively control mobile station access to traffic channels. Accordingly, it is unsurprising that Honkasalo does not teach the recited “request message” or “connectivity report.”

Honkasalo does not remedy the deficiencies of Abrol. Accordingly, Honkasalo and Abrol, taken singly or in combination do not teach all the elements of claims 6-7, 14-15, 24-25, and 30-31.

35 USC § 103 permits combination of multiple references to teach or suggest all the elements of a rejected claim. The Office Action must, however, also supply teaching, motivation, or suggestion to combine the references if multiple references are used. Any such teaching, motivation, or suggestion must be based in the prior art, not in the application. The use of the application as the sole motivation for combining the references is improper hindsight reconstruction. In the present rejection, the Office Action has failed to provide any teaching motivation or suggestion to combine the cited references. Accordingly, the Office Action has not established a prima facie case of obviousness.

The Office Action has rejected claims 9, 17, 22, and 28 under 35 U.S.C. § 103(a). The Office Action alleges that they are unpatentable over Abrol in view of U.S. Patent Application Publication No. 2004/0092264 of Koodli et al. (“Koodli”). The Office Action states that Abrol teaches all of the elements of the claims except “performing handover of the mobile node from the first access router to the second access router

before sending the connectivity report.” The Office Action states that Koodli teaches these additional features. Applicant respectfully traverses this rejection.

Koodli is directed to a system and method for discovering network interface capabilities. In Figure 2 and the associated portion of the specification, Koodli describes handover of a mobile node from a first router CR to a second router NR.

The rejected claims 9, 17, 22, and 28 depend from independent claims 1, 10, 18, and 26. As explained above, Abrol does not teach all of the elements of those claims. Dependent claims include all the limitations of the independent claims from which they depend. Accordingly, Abrol does not teach all of the elements of the rejected claims. Koodli does not remedy the deficiencies of Abrol.

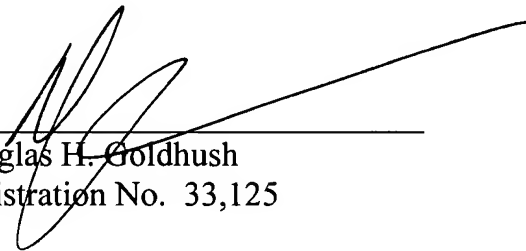
Neither Koodli nor Abrol address the claimed “request message” or the claimed “connectivity report.” The Office Action does not even assert that Koodli teaches those recitations. Koodli relates to a system and method for discovering network interface capabilities prior to a handover. Accordingly, it is unsurprising that Koodli does not teach the recited “request message” or “connectivity report.”

Because Koodli does not remedy the deficiencies of Abrol, the combination of references does not render the claims obvious. Even assuming that the combination of references were proper (not admitted), Koodli and Abrol, alone and in combination do not teach the claimed invention.

As with the previous rejection, there is no evidence presented regarding teaching, suggestion, or motivation to combine the references. Accordingly, the Office Action has not established a prima facie case of obviousness.

In the event this paper is not being timely filed, the applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



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Enclosures: Revocation and New Power of Attorney